

**AMENDED AND RESTATED BY-LAWS
OF
PROPERTY OWNERS ASSOCIATION OF MOUNTAIN
LAKES RANCH**

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF ERATH §

These **AMENDED AND RESTATED BY-LAWS OF PROPERTY OWNERS ASSOCIATION OF MOUNTAIN LAKES RANCH** (the "Amended and Restated By-Laws") are adopted by the Board of Directors of the Property Owners Association of Mountain Lakes Ranch as of the ____ day of September, 2008.

WITNESSETH:

WHEREAS, Bluegreen Southwest One, L.P. (the Declarant") prepared and recorded the following instruments in the Real Property Records of Erath County: (i) Declaration of Covenants, Conditions and Restrictions [for] Mountain Lakes Section One, filed as Document No. 002342 on April 27, 2000; (ii) Declaration of Covenants, Conditions and Restrictions [for] Mountain Lakes Section Two, as Document No. 010227 on January 12, 2001; (iii) Declaration of Covenants, Conditions and Restrictions [for] Mountain Lakes Section Three, as Document No. 20835 on February 1, 2002; (iv) Declaration of Covenants, Conditions and Restrictions [for] Mountain Lake Section Four, Phase I, as Document No. 25672 on July 22, 2002; and (v) Declaration of Covenants, Conditions and Restrictions [for] Mountain Lakes Section Four, Phase Two, as Document No. 38326 on October 29, 2003 (collectively, the "Declaration"); and

WHEREAS, the By-Laws of Property Owners Association of Mountain Lakes Ranch were duly adopted on September 26, 1999 (the "By-Laws") and amended on November 8, 2006, by that First Amendment to By-Laws of Property Owners Association of Mountain Lakes Ranch (the "First Amendment"); and

WHEREAS, Article Seven, Section 7.07 of the By-Laws provides that the power to amend the By-Laws is vested in the Board of Directors, subject to repeal or change by action of the Members; and

WHEREAS, the Board of Directors has voted unanimously to adopt the Amended and Restates By-Laws as hereinafter set forth.

NOW, THEREFORE, the By-Laws and the First Amendment are replaced in their entirety as follows:

ARTICLE ONE REGISTERED OFFICE

1.01 REGISTERED OFFICE: The registered office of the Corporation is currently located at 16200 Addison Road, Suite 150 Addison, Texas 75001. The name of the registered agent of the Corporation at such address is Aaron Samples. The Corporation may change its registered office and/or its registered agent by filing such change in the office of the Secretary of State.

ARTICLE TWO DEFINITIONS

2.01 AS USED IN THESE BY-LAWS THE FOLLOWING DEFINITIONS SHALL APPLY:

(A) **THE MOUNTAIN LAKES SUBDIVISION:** Those portions of the property described on Exhibit "A" as are included in any section of the MOUNTAIN LAKES SUBDIVISION, as such sections are shown by plats of the record among the Plat Records of Erath County, Texas whether such plats are presently on record or are hereafter to be recorded, so long as such properties are bound by any subdivision promulgated by MOUNTAIN LAKES SUBDIVISION, its successors or assignees, which subdivision covenants and restrictions provide for the payment of assessments to the PROPERTY OWNERS ASSOCIATION OF MOUNTAIN LAKES RANCH.

(B) **PROPERTY OWNERS ASSOCIATION OF MOUNTAIN LAKES RANCH** (the "Association") the corporate name of the non-profit corporation designated by the various declarations of covenants, conditions and restrictions for the various sections of the Mountain Lakes Subdivision.

(C) **MEMBERSHIP:**

i). **OWNERSHIP OF ONE OR MORE LOTS:** The ownership of one or more lots in the Mountain Lakes Subdivision shall entitle the owner thereof to one membership in the Corporation. Members of the Corporation shall include all those persons or entities who are voting members or non-voting members of the Corporation as provided below.

ii). **SINGLE OWNERSHIP PER LOT:** For the purpose of these provisions, those persons who have purchased any of the lots in the MOUNTAIN LAKES SUBDIVISION under the provisions of any Contracts of Sale or Purchased with the Veterans Land Board of the State of Texas shall be considered as "members" of the Corporation, and the State of Texas shall not be considered as a member of the Corporation.

iii). **OWNERSHIP TITLE TRANSFER REQUIREMENTS:**

A person shall be considered as an owner of a lot in THE MOUNTAIN LAKES SUBDIVISION only after such person has received legal title to such lot and after a deed conveying title to that person has been recorded in the Real Property Records of Erath County, Texas

(D) VOTING MEMBERS:

Owners of lots in the MOUNTAIN LAKES SUBDIVISION who are:

- i) current (meaning not in default for more than sixty [60] days) in the payment of any and all assessments, dues, levies, fines and any other charges or financial obligations due to the Association; and
- ii) not otherwise in default or in violation of any of the Subdivisions' declarations of covenants, conditions and restrictions, rules and regulations, policies or guidelines governing THE MOUNTAIN LAKES SUBDIVISION.

(E) NON-VOTING MEMBERS:

Non-voting members of the Corporation shall be those members who are in arrears for more than sixty (60) days in the payment of any assessments, dues, charges, levies, fines or other financial obligation to the Association, or in default in the performance of any of the restrictions or obligations contained in any of the declarations of covenants, conditions and restrictions, rules and regulations, policies or guidelines governing THE MOUNTAIN LAKES SUBDIVISION.

ARTICLE THREE MEMBERS MEETINGS

3.01 LOCATION OF MEMBER MEETINGS:

All meetings of the members shall be held at any place within the state as may be designated for that purpose from time to time by the Board of Directors.

3.02 ANNUAL MEETINGS OF THE PROPERTY OWNER MEMBERS:

The annual meetings of the members shall be held each year. The date of the meeting is at the discretion of the Board of Directors.

3.03 NOTICE OF MEETINGS:

Notice of the Members' meetings, stating the place, date, and hour of the meeting, and in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be given in writing to each member entitled to vote at least ten (10) days but no more than thirty (30) days before the date of the meeting. Such notice shall be delivered personally, by mail or by any other means permitted by the Business Organizations Code, which may include, but is not limited to electronic or facsimile transmission. The notice will be addressed to the member at the address appearing on the books of the Corporation or given to the Corporation for the purpose of notice.

3.04 SPECIAL MEETINGS:

(A) BOARD INITIATED Special meetings of the Association members may be called at any time, for any purpose or purposes, by the President of the Board of Directors or by any two or more members of the Board. The notice of any special meeting of Members must state the purpose or purposes. Special members meetings must be called for a specific purpose, which purposes shall be identified in the notice of the meeting.

(B) **MEMBER INITIATED ASSOCIATION MEETINGS:** It shall be the duty of the President to call a special meeting of the Association upon presentation to the Secretary of a petition stating a request and proper purpose of the special meeting, which petition is signed by Members having not less than one-third (1/3) of the votes entitled to be cast at such meeting.

3.05 QUORUM FOR ANNUAL AND SPECIAL MEMBERS MEETINGS: The presence in person or by proxy of Members having ten percent (10%) of the votes entitled to be cast constitutes a quorum for transaction of corporate business. Once the presence of a quorum has been confirmed, business may continue despite any failure to maintain a quorum during the remainder of the meeting.

3.06 VOTING QUALIFICATIONS:

(A) **VOTE APPORTIONMENT:** Only persons listed as voting members on the date of the meeting shall be entitled to vote at member meetings. Any non-voting members may elevate their status to a voting member by curing any default no fewer than thirty (30) days prior to the stated date and time of the meeting. Votes shall be apportioned by lots, meaning each property owner shall be entitled to one vote for each lot owned

(B) **FRACTIONAL VOTE RULE:**

There shall be no fractional voting, but rather, if a lot is owned by two or more persons, that lot shall be entitled to only one vote and shall not be entitled to split that vote. The Board may require the Members to designate in writing which person will be the voting member to represent the Lot. A voting member may execute a written proxy granting to a director or another voting member the right to cast such voting member's vote at any meeting. A voting member may not grant a proxy to someone other than a voting member or a director.

3.07 PRESIDING OFFICER:

All meetings of the membership shall be presided over by the President of the Association, or in the absence of the President, the board member selected by the remaining members of the Board of Directors.

ARTICLE FOUR BOARD OF DIRECTORS

4.01 MANAGEMENT OF THE CORPORATION:

The management of the corporation shall be vested in the Board of directors which shall have full power and authority to carry out the purposes of the Corporation and to do any and all lawful acts necessary or profitable thereto. The powers of the Corporation shall be exercisable by the Board of Directors or under its authority, and the action of the President of the Corporation shall be controlled by the Board of Directors, subject, however, to such limitations as are imposed by law, the Articles of Incorporation, the Covenants Conditions and Restrictions, or the By-Laws as to the actions to be authorized or approved by the members. The Board of Directors may, by contract or otherwise, give general limited special powers and authority to the officers and employees of the Corporation to transact the general business, or any special business of the

Corporation and may give powers of attorney to agents of the Corporation to transact any special business required or permitted by such authorization.

4.02 NUMBER OF BOARD MEMBERS:

The directors must be members of the Corporation. The authorized number of directors shall be five (5). To qualify to be elected or appointed as a director, the person must be a member of the Corporation entitled to vote. The number of directors may be increased or decreased from time to time by amendment to the By-Laws, but no decrease shall have the effect of shortening the term of any incumbent director. Any directorship to be filled by reason of an increase in the number of directors shall be filled by election at an annual meeting or at a special meeting of the Association members called for that purpose.

4.03 BOARD MEMBER SELECTION AND TERMS

(A) BOARD MEMBER ELECTIONS:

Directors shall be elected in the annual meeting by the voting members and the candidates receiving the most votes shall be elected.

(B) TERM OF OFFICE:

The term of office for each elected director shall be two (2) years and the terms shall be staggered so that no more than three terms shall expire in any year. The director terms begin immediately after the adjournment of the annual or special meeting in which they are elected. Elected board members shall hold office until their respective successors are elected, or until their death, resignation or removal. Directors serving their full terms shall remain in office until the adjournment of the annual or special members meeting in which they are removed or their successor is elected or as otherwise defined herein

(C) REMOVAL OF DIRECTORS:

Elected or appointed directors may be removed and replacements elected, with or without cause, by a vote of the majority of the voting members at any special meeting of Members. Any director who is in default for more than sixty (60) days in the payment of any assessment, dues, levy, charge, fine or other financial obligation to the Association or who is in violation of any of the Subdivisions' declaration of covenants, conditions and restrictions, rules and regulations, policies or guidelines governing the Mountain Lakes Subdivision may be removed by a majority vote of the other directors on the Board of Directors.

4.04 BOARD VACANCIES

Vacancies of the Board of Directors, other than those caused by a removal by a vote of the Members, shall be filled by a majority vote of the remaining directors, or by the sole remaining director. The Board of Directors has the authority to appoint any MOUNTAIN LAKES SUBDIVISION property owner to the board of directors to serve the remainder of any board member position vacated for any reason other than removal by the Members.

4.05 MEETING LOCATION:

Any meeting of the Board of Directors may be held at any location at the sole discretion of the Board as long as it is located within a one hundred (100) mile radius of the Mountain Lakes Subdivision. A regular meeting of the board of directors may be held without call or notice

immediately following each annual meeting of the membership of the Corporation, and at such other times as provided herein or by Texas law.

4.06 SPECIAL MEETINGS OF THE BOARD

(A) SPECIAL BOARD MEETING:

A special meeting of the Board of Directors for any purpose shall be called at any time by the President, or if the President is absent or unable or refuses to act, by any two directors. Written notice of the special Board of Directors meetings, stating the time and in general terms the purpose or purposes therefore, shall be mailed, personally delivered, sent by electronic or facsimile transmission, provided verbally or given by any other means allowed by the Business Organizations Code to each director not later than three (3) days before the day appointed for the meeting.

(B) EMERGENCY BOARD OF DIRECTORS MEETINGS.

A special emergency meeting of the board may be held at any time without written notice if required. The meeting shall not be held without the consent of all board members.

4.07 QUORUM REQUIREMENTS:

(A) BOARD DECISION REQUIREMENTS: A simple majority of the authorized directors shall be necessary to constitute a quorum for the transaction of business, except to adjourn as hereafter provided. Every act or decision done or made by a majority of the directors present shall be regarded as an act of the Board of Directors, unless a greater number is required by law or by the Articles of Incorporation.

(B) BOARD OF DIRECTORS PROXIES: A board member may assign his / her proxy to another board member which shall assign the authority to vote in place of the absent board member or members. Such proxy shall be granted in writing and presented at the opening of the board meeting in which the proxy is to be exercised. The proxy must include the date or dates the proxy may be used and any limitations placed upon the exercise of such privileges assigned by the proxy.

4.08 ASSIGNMENT OF BOARD POWERS:

Any action required or permitted to be taken by the Board of directors may be taken without a meeting and with the same force and effect as the unanimous vote of the Directors, if all of the members of the board shall individually consent in writing to such action.

4.09 ADJOURNMENTS:

A quorum of the directors may adjourn any directors' meeting to meet again at a stated hour on a stated day. Notice of the time and place where an adjourned meeting will be held need not be given to absent directors if the time and place is fixed at the adjourned meeting. In the absence of a quorum, a majority of the directors present at any directors' meeting, either regular, special or emergency may adjourn from time to time until the time fixed for the next regular meeting of the board.

4.10 PRESIDING BOARD OFFICER:

The President, or in the President's absence, any director selected by the directors present, shall preside at meetings of the Board of Directors. The Secretary of the Corporation or, in the

Secretary's absence, any person appointed by the presiding officer, shall act as Secretary of the Board of Directors.

4.11 REIMBURSEMENT OF EXPENSE:

(A) REIMBURSEMENT OF APPROVED EXPENSES:

Directors, Committee Chairpersons and Committee Members or any board authorized individual or vendor may receive reimbursement for actual expense incurred in the line of performing the duties of their office or responsibility if the expense is approved by the Board of Directors and is supported by valid receipts and documented justification of the expense incurred.

(B) CASH ADVANCES:

When deemed absolutely necessary by the majority of the Board of Directors cash advances may be issued to Directors or Committee Chairpersons to cover necessary purchases from vendors refusing to issue credit and will not accept credit cards and where reasonable alternative vendors can not be identified. Any cash advance shall be accounted for by valid receipts and return of unused funds presented to the Board or its designated agent in no more than ten (10) working days of granting the advance. Visual verification of the goods purchased or the services provided by two (2) or more member of the Board of Directors is required for each purchase of this nature.

4.12 AUTHORIZATION FOR PAYMENT OF FINES:

The board of directors may authorize the Corporation to pay expenses incurred by, or to satisfy a judgment or fine rendered or levied against, present or former Directors, officers, or employees of this Corporation as provided by article 1296.22A of Title 32 of the Miscellaneous Corporation Act of the State of Texas or by the Business Organizations Code.

ARTICLE FIVE CORPORATE OFFICERS

5.01 BOARD OFFICES:

(A) OFFICERS OF THE CORPORATION: The officers of the Corporation shall be President, a Vice-President, Secretary, Treasurer, and such assistants and other officers as the Board of directors shall from time to time determine. Any two offices may be held by one person. All officers shall hold office at the pleasure of the Board of Directors and may be removed from office at any time without cause or reason by a majority vote of the remaining or other directors.

(B) BOARD OF DIRECTORS OFFICERS ELECTION:

All officers of the Board shall be elected to office by the members of the seated Board of Directors. Officer's term and tenure will end at the adjournment of any Association annual meeting. The new board consisting of existing and newly elected board members shall conduct a special Board of Directors meeting to elect a new slate of officers within no more than ten (10) days after the adjournment of any annual meeting.

(C) DIRECTORS APPOINTED BY THE BOARD:

Appointed members of the Board of Directors shall have the same status as those Directors elected by the voting members at an annual meeting. The resignation, removal or death of a board member resulting in the appointment of one or more board member shall not create in and of itself the requirement to conduct an election of all new officers.

5.02 POWERS OF THE BOARD OF DIRECTORS:

The officers of the Corporation shall have the power and duties generally ascribed to the respective offices, and such additional authority or duty as may from time to time be established by the Board of Directors.

**ARTICLE SIX
ARCHITECTURAL CONTROL COMMITTEE**

6.01 ARCHITECTURAL CONTROL COMMITTEE MEMBERS SELECTION AND TERMS

(A) The three (3) Architectural Control Committee members designated by Article IV of the declarations governing the sections of the Mountain Lakes Subdivision shall be elected in the annual Association members meeting. Those candidates who receive the most votes are elected.

(B) TERM OF OFFICE:

The term of office for each elected Architectural Control Committee member shall be two (2) years. Elected committee members shall hold office until their respective successors are elected, or until their death, resignation, or removal. Terms shall be staggered so that no more than two (2) member terms shall end in any one year.

(C) REMOVAL OF ARCHITECTURAL CONTROL COMMITTEE MEMBERS:

Committee members may be removed with or without cause and a replacement elected by a majority vote of the Board of Directors or by a majority vote of the Owners.

6.02 VACANCIES

Vacancies on the Architectural Control Committee caused by any reason other than removal by vote of the Owners shall be filled by a majority vote of the Board of Directors. Such appointed committee member will serve the unexpired term of his predecessor.

6.03 COMMITTEE DECISIONS:

A simple majority of the committee members shall decide all issues and matters presented to the Committee.

6.04 VIOLATION FINES

The Association, through the Board of Directors, has the authority to levy fines for violations of the Covenants, Conditions and Restrictions, rules and regulations, policies and guidelines governing the MOUNTAIN LAKES Subdivision.

ARTICLE SEVEN EXECUTION OF INSTRUMENTS

7.01 EXECUTION OF INSTRUMENTS:

The Board of Directors may, in its discretion, authorize an officer or officers, or other person or persons, to execute any corporation instruments or documents, or to sign the corporate name without limitation, except where otherwise provide by law, and such executions or signatures shall be binding on the Corporation. Any such powers granted to any officer or other person shall require a formal resolution defining the powers and limitations granted and a majority Board of Directors approval.

ARTICLE EIGHT MISCELLANEOUS

8.01 AUTHORITY TO HIRE EMPLOYEES AND AGENTS:

The Board of Directors, on behalf of the Corporation, shall have the authority to employ such agents or employees as the Board of Directors shall deem appropriate for carrying out the purpose of the Corporation.

8.02 MANAGEMENT OF CORPORATE FUNDS:

There shall be no initiation fees for membership in the Corporation. The Board of Directors shall have discretion over the disposition of any and all assessments, dues, levies and/or charges paid as provided for in any of THE MOUNTAIN LAKES SUBDIVISION Covenants, Conditions, and Restrictions imposed on any lot in THE MOUNTAIN LAKES SUBDIVISION. Subject to the approval of the majority of the voting members at a meeting of the membership duly convened, by the Board of Directors may increase or decrease the assessments described in the subdivision Covenants, Conditions, and Restrictions, affecting any lot of THE MOUNTAIN LAKES SUBDIVISION as shown by recorded instrument filed for record in Erath County, Texas. All of the provisions relating to such increase and decrease, and to such assessments, which are shown by recorded instruments affecting any lot of THE MOUNTAIN LAKES SUBDIVISION, or which may be hereafter filed as to any subsequently created section of THE MOUNTAIN LAKES SUBDIVISION are hereby incorporated herein by reference as if stated in full.

8.03 ESTABLISHMENT OF COMMITTEES:

The Board of Directors shall have the authority to appoint such committees to assist it in the managing of the Corporation as it shall deem appropriate, and to appoint to such committees either members or non-members of the Corporation. Such committees shall be of such number and serve such functions as the Board of Directors may determine; however, there shall always be seated an Architectural Control Committee as is described in the MOUNTAIN LAKES SUBDIVISION COVENANTS RESTRICTIONS, AND CONDITIONS affecting any and all sections of THE MOUNTAIN LAKES SUBDIVISION as shown by recorded instruments in Erath County.

8.04 PROHIBITED PAYMENT FOR MEMBERS SERVICES:

The Corporation shall not enter into any contract to pay and shall not pay any salary or other remuneration to any Officer, Director, Committee Chairperson or Committee Member for their services as such, or in any other capacity regardless of the capacity in which they may act. However, nothing in this section shall prevent the corporation from reimbursing any officer or director for actual expenses incurred by such director or officer in the performance of his duties. Requests for reimbursements must be for expenses previously approved by the board and must be accompanied with valid receipts and a full description of the expense incurred. Property owners not holding office or serving on committees are entitled to bid on any contract for services or goods required by the community.

8.05 CORPORATE CASH ACCOUNT MANAGEMENT:

(A) BANK ACCOUNTS AND WITHDRAWALS:

Any and all funds of the corporation shall be deposited in bank accounts in the Corporation's name. All demand withdrawal instruments and checks on such bank accounts shall bear the signature of at least two authorized persons, the identity of whom shall be made by the Board of Directors, and who may, but do not have to be members of the Corporation.

(B) RESERVE FUNDS:

The Board of Directors may establish and maintain a cash reserve fund to be retained for unexpected or emergency expenditures.

(C) INVESTMENT OF BANK FUNDS:

Surplus cash in the Association's operating and reserve bank accounts shall be placed in interest bearing money funds that are fully insured, pose minimal risk of loss, the profits thereof shall be applied to the reserve account, unless otherwise directed by the Association's accountant.

8.06 ESTABLISHMENT OF DISCRETIONARY FUND

The board of directors is authorized to establish a discretionary fund not to exceed three thousand dollars (\$3,000) to be used for expenditures not to exceed two thousand dollars (\$2,000) and requiring immediate payment upon completion of services rendered or goods purchased as well as other expenses requiring prompt payment beyond the scope of the normal invoice payment cycle. Each use of discretionary funds requires the majority approval of the Board of Directors and the signature of two board members on all checks issued. The Board of Directors shall oversee the discretionary fund and establish procedures to define its control and use. Each disbursement of this fund shall conform to the same documentation requirements as those established for payment of invoices processed through the normal invoice payment procedures.

8.07 BY-LAW AMENDMENTS:

The power to alter, amend, or repeal these By-Laws is vested in the board of directors, subject to repeal or change by the affirmative vote, at a special meeting of the members, of a majority of the total Members entitled to vote (not a majority of a quorum).

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed
on the 10 day of Sept, 2008.

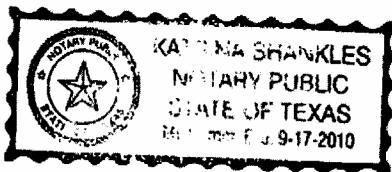
**PROPERTY OWNERS ASSOCIATION OF
MOUNTAIN LAKES RANCH, a Texas non-profit
corporation**

By: [Signature]
Its: Pres.

STATE OF TEXAS §
 §
COUNTY OF ERATH §

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared Tim Shankfield, President of Property Owners Association of Mountain Lakes Ranch, a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said entity.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10 day of September, 2008.



Katrina Shankles
Notary Public in and for the State of Texas

My Commission Expires: 9-17-2010

AFTER RECORDING RETURN TO:
Riddle & Williams, P.C.
3710 Rawlins Street, Suite 1400
Dallas, Texas 75219

g/bylaws.amd/mountainlakes-final

86852
FILED FOR RECORD
At 12:15 O'clock P M
SEP 10 2008

GWINDA JONES, COUNTY CLERK
ERATH COUNTY, TEXAS
BY [Signature] DEPUTY

Rules for Mountain Lakes Property Owners Association
Governing
RV Storage and RV Park Usage

Adopted by Mountain Lakes POA on _____
And Amended In _____

Section 1: Introduction: The responsibility for operating and maintaining the facilities known as the RV Park and RV Storage facility belongs to the Mountain Lakes Property Owner Association (POA) as it represents the interests of all property owners. For the common good of all property owners, the RV Committee of the POA maintains and enforces these rules to insure fair and equitable use of these facilities by all members. The towing of non-compliance vehicles will be also governed by this policy. All actions taken pursuant to these Rules must be in accordance with Texas law. Where any conflict between the Rules and Texas law exists, Texas law will govern.

Section 2: General Rules

1. All Mountain Lakes property owners and their guests are responsible for upholding and enforcing these rules. Any violation of these rules should be reported to the RV Committee chairperson or Committee designee. (See Appendix F – Contact Sheet)
2. Notice will be given orally if possible and written through a return receipt letter. However, no additional Actual Notice or the mailing of Written Notice is required when Written Notice was attached to an unauthorized vehicle and the owner or operator of the vehicle leaves the vehicle in another location where parking is unauthorized for the vehicles according to the notice [012(d)] (See Appendix G, Chapter 684, Texas Transportation Code).
3. All Mountain Lakes property owners are responsible for communicating in advance any intention outside the normal realm set forth in this document to the RV Committee-Chairperson for review and approval/disapproval by the Committee.
4. Mountain Lake Property Owners will hold harmless any and all of the Mountain Lake RV Committee members and the POA for enforcing the rules of RV Storage facility and RV Park.
5. These rules and contact information for all RV Committee members shall be continuously available on the internet web site and will be published at least annually in the newsletter.
6. Any questions about the rules may be addressed by contacting the RV Committee Chairperson or Committee designee or by sending a written inquiry to the RV Committee at the address listed in Appendix F – Contact Sheet.

Section 3: RV Storage Rules

1. The RV Storage area is for the exclusive use of Mountain Lakes property owners who are in good standing with the POA. Access to the RV Storage Area will be denied in response to non-payment of annual POA dues.

2. Types of vehicle allowed to be stored in the Mountain Lakes RV Storage Facility (aka Storage) are:
 - Travel/ Recreational Vehicle
 - Pop-Up Trailer
 - Boat/Watercraft (i.e. SeaDo) (Must be on a trailer)
3. The number of recreation vehicles stored per property owner household will be limited to two (2) in any combination.
4. All recreation vehicles must have a current registration with the State of Texas (or residential state) according to Motor Vehicle laws of the state.
5. All recreation vehicles must be road ready, that is, in working condition.
6. All recreation vehicles must be properly registered with Mountain Lakes POA. This form may be found in the mailbox at the storage compound or on the POA web site. It may be returned by
 - a. Placing it back into the mail box at the RV Storage area
 - b. Via US Postal Service to the contact names listed on the form
 - c. Any RV Committee Member
7. All properly registered storage items will receive a Recreational Vehicle tag issued by a member of the RV Committee after confirmation by the finance committee that the member is current with POA dues for that year. This sticker will be displayed on the back left bumper or affixed on to the vehicle it self in the location corresponding with the back left side.
8. Requests to store items of a type not listed above or to exceed the number of items must be made in writing to the Chairperson of the Mountain Lakes RV Committee for review and approval by the committee. The committee decision will be made within 30 days of receipt of request.

Section 4. RV Park Rules

1. Definitions for length of stay.
 - a. A weekend may be up to 5 nights
 - b. A vacation is up to 14 continuous nights
 - c. An extended stay is anything over 14 continuous nights
2. All property owner immediate families in good standing are entitled to stay free for 5 nights stays without limitation during the year.
3. All property owner immediate families are entitled to one vacation stay per calendar year of up to 14 continuous nights with out charge.
 - a. The RV Committee must be notified in advance of an intention to use the park for a vacation.
 - b. Vacation stays may not be accumulative in nature
 - c. Excess time may be arranged at a charge of \$15.00 per night up to 30 nights.
 - d. The completed and approved approval form must be displayed on the vehicle while in the RV Park.
4. Any property owner immediate family needing an extended stay during construction of their primary resident on their Mountain Lake property may do so with the following guidelines

- a. The owner must notify the RV Committee in advance requesting permission to use the park on an extended stay and specifying reason for request.
 - b. The completed and approved approval form must be displayed on the vehicle while in the RV Park.
 - c. The owner must have received approval by the Architectural Committee of their construction plans and have a confirmed start date and estimated completion date from their builder.
 - d. Owner will pay the Mountain Lakes POA on a month-to-month basis at a rate of \$5.00 per night (\$150.00) based on proposed use over and above the first 14 days to offset the cost of utilities. Amount will be due and payable in advance the first of each calendar month for the duration of the owner's stay. Non-payment will be addressed following the procedures outlined in Section 5 below. Checks should be made out to Mountain Lakes Property Owners Association and mailed to the Finance Committee at

Mountain Lakes Property Owner Association
Attention: Finance Committee
PO Box 189, Bluff Dale, Texas 76433-0189
 - e. Stays that exceed 6 months. Should extenuating circumstances arise; the property owner will submit a letter to the RV Committee.
 - f. The committee has the right to limit the number of extended stays that occupy space within the park at any one time.
 - g. The committee reserves the right to assign the space occupied for any extended stay.
- 5. All RVs will be placed in the storage compound after use. At no time will a RV be allowed to remain parked unoccupied without permission from the RV committee.
 - 6. The speed limit in the park/storage area is 5 mph for all vehicles
 - 7. The garbage dump is for the use of campers only. No Mountain Lake resident shall use the dump for personal use.
 - 8. Quiet Time in the park will be from 10:00 pm to 7:00 am Sunday – Thursday. Hours for Friday and Saturday will be from midnight to 8 am. For holidays that fall on a Monday, Sunday quiet time hours will be the same as Saturday.
 - 9. All Property owners residing in the park will be held liable for their pets. Pets should be on a leash or under voice command and must be supervised at all times. Pet owners are responsible for policing the area in order to keep the park clean. At no time will the Mountain Lake POA or the RV Committee be held liable for actions of a pet.
 - 10. All MT Lakes Property Owners, with RV committee approval, are allowed one (1) Guest RV in a hook-up parking pad (excluding holiday weekends) and cannot exceed a 5-night stay. This occupancy will not be in addition to the owner occupying a space, rather in lieu of the owner occupation so that only one space per owner at any one time will be allowed.

11. Owners may share a site with Guests thus having multiple RVs occupying a single site.
12. Tent camping is allowed, but will be confined to the MT Lakes Property Owners' campsite (pad). Pad areas will be reserved for RV vehicles use only. Any additions to the RV Park designed for tent campers and/or popup campers will be designated as such and no RV vehicles will be allowed to occupy those designated sites.

Section 5. Violations of RV Storage and RV Park Rules

The RV Committee will address violations of the rules in the following manner.

For RV Storage Violations:

1. A letter will be sent to the owner of the offending recreation vehicles. In the letter, a time frame for correcting the problem will be given. The time frame shall be no less than 14 days from the date of the letter. (See sample letter number one)
2. If the violation has not been corrected within the allotted time frame, a "return receipt required" letter will be sent with a time frame for a second chance to correct the problem. The time frame shall not be more than 15 calendar days after the postmark of the letter. (See sample letter two)
3. Should no response be received or the correction not made, a commercial business dealing with towing will be called to remove the offending item into a Vehicle Storage Facility that is off site.
4. The recreation vehicles/trailer owner will be held responsible for all charges incurred with towing and storage.
 - a. Cost for towing could range from \$100 – \$300 dollars depending on the type of vehicle being towed and the towing company responding
 - b. Administrative fine may be levied in the amount of \$50.
 - c. Additional fines may be levied should the vehicle not be properly registered with the POA in the amount of \$50
5. All Violations will conform to Texas Chapter 684, Texas Transportation Code found in Appendix G.

For RV Park Violations:

6. An oral notification/phone call will be made to the owner of the offending recreation vehicle. The owner will be given a time frame for correcting the problem. The time frame shall be no more than 7 days from the date of the call.
7. If the violation has not been corrected within the allotted time frame, a "return receipt required" letter will be sent with a time frame for a second chance to correct the problem. The time frame shall not be more than 15 calendar days after postmark. (See sample letter two)
8. Should no response be received or the correction not made, a commercial business dealing with towing will be called to remove the offending item into a secure location within the storage compound.
9. The recreation vehicles/trailer owner will be held responsible for all charges incurred with towing and storage.

- a. Cost for towing could range from \$100 – \$300 dollars depending on the type of vehicle being towed and the towing company responding
 - b. Administrative fine may be levied in the amount of \$50.
 - c. Additional fines may be levied should the vehicle not be properly registered with the POA in the amount of \$50
10. All Violations will conform to Texas Chapter 684, Texas Transportation Code found in Appendix G.

Committee Governance

- 1 The RV Committee shall be governed by the Texas Transportation Code Chapter 684, which serves as guidance to handling violations of these rules.
- 2 The RV Committee will post signs stating that the POA has the right to tow any vehicle in non-compliance after proper notification has been given.
- 3 The RV Committee shall have the right to investigate and approve a set number of contractors to perform this action.
- 4 The RV Committee and Mountain Lakes POA when causing the removal of an unauthorized vehicle is not liable for damages arising from the removal or storage of the vehicle is the vehicle was removed in compliance with Chapter 684 of the transportation code and is removed by a towing company insured against liability for property damage incurred in towing a vehicle and stored in a vehicle storage facility insured against liability for property damage incurred in storing a vehicle.
- 5 Per regulations under this Chapter, a minor variation of a required or minimum height of a sign or lettering is not a violation of this chapter.
- 6 Copies of Chapter 684, Texas Transportation Code governing towing may be obtained from members of the RV committee.
- 7 Collection of all monies owed to the POA shall comply with the process set force by the Finance Committee.

Appendix A: Sample Letter for first time violations:

Dear _____

In order to maintain the RV Storage Facility/Park guidelines and policies, it has been determined that your vehicle, _____, is in non-compliance with the Rules and Regulations as stated in the By Laws dated MM/DD/YY.

Please correct the above condition by

If you have any questions regarding the regulations, please don't hesitate to contact

Thank you

Mountain Lake RV Committee

Appendix B: Sample Letter for second time violations

Dear _____

The vehicle in question, _____ continues to be in violation of the Mountain Lakes RV Storage Facility regulations

You must bring your vehicle in compliance, or the RV Committee will take corrective action 15 days from the postmark of this letter pursuant to Texas State policy for Texas Transportation Code— Chapter # 684. Should you not comply, corrective action may include removal of your vehicle into a storage facility outside of Mountain Lake facilities by a professional agent.

The 24 hour number of this service provider is: _____

If you have any questions about the regulations, please contact _____.

Thank you

Mountain Lake RV Committee

Appendix C: Definitions and Glossary

Term	Definition
Actual Notice	Oral notice given in person to the owner/operator of a vehicle in violation of this Policy that the vehicle will be owed at the owner's or operator's expense if not removed or notice in writing of the same delivered in person to the owner/operator of a vehicle in violation of this Policy.
Towing Company	A person operating a tow truck registered under Chapter 1135, Acts of the 70 th Legislature, regular session, 1987 (Article 6687-9b, Vernon's Texas Civil Statutes). This term includes the owner, operator, employee, or agent of a towing company, but does not include a political subdivision of the State.
Vehicle Storage Facility	A facility operated by a person licenses under Article 6687-9a, Texas Revised Statutes
Written Notice	For Written Notice under this Policy to be effective, it must meet the requirements of both statements below: A conspicuous written notice attached to a windshield of a vehicle in violation of this policy or if the vehicle has no windshield, attached to a conspicuous part of the vehicle that states or details the following: 1. The vehicle is not authorized to be parked where it is 2. a description of all other unauthorized parking areas on the property 3. The vehicle will be towed at the owner's or operator's expense if it remains where it is parked and 4. the area code and number of a telephone that is answered 24 hours a day to enable to the owner/operator of the vehicle to locate same if towed AND Notice must be mailed to the owner of the vehicle by Certified mail; return receipt requested to the last address shown for the owner according to vehicle registration records of the relevant state. This notice must: 1. State that the vehicle is in a space in which the vehicle is not authorized to park 2. Describe all the other unauthorized parking areas

	on the property 3. Contain a warning that the unauthorized vehicle will be towed at the expense of the owner/operator the vehicle is it is not removed from the property before the 15th day after the past mark date of the notice and 4. State the area code and number of a phone that is answered 24 hours a day to enable the owner operator to locate the vehicle if towed.
MLPOA	Mountain Lake Property Owners Associations
Recreation Vehicles (RV)	A vehicle, such as a camper or motor home, used for traveling and recreational activities. This may include Personal Watercraft, All Terrain Vehicles, Campers, Pop Ups Trailers, Travel Trailers, 5 th Wheel Vehicles and other Trailers used for recreational purposes.
Trailer	A transport vehicle for boats, watercraft, PWCs and ATVs designed to be hauled by a car or truck.
Travel Trailer-	A vehicle, such as a camper or motor home, used for traveling and recreational activities.
Pop-Up Trailer	A furnished vehicle drawn by a truck or automobile and used when parked as a dwelling. This type of vehicle is characterized by its compact size that expands in height and length through un folding the top and sides.
5 th Wheel	A type of RV that is characterized by a connection within the bed of the vehicle that will pull it.
Boat w/ trailer	A relatively small, usually open water capable craft of a size that might be carried aboard a ship.
Watercraft w/ trailer	A lightweight vessel usually less than 16 ft (5 m) long that uses an inboard water jet pump, powered by an internal-combustion engine, as its primary source of propulsion.
ATV w/ Trailer	All Terrain Vehicles that will be located on a trailer
PWC w/ Trailer	Personal Water Craft such as a Sea Do that is operated by a person or persons sitting, standing, or kneeling on it, rather than inside it, as in a conventional boat.

Appendix D: Mountain Lake Storage Registration Form

Please fill out and mail to:

Mountain Lakes Property Owners Association
Access Committee
PO Box 189, Bluff Dale, TX 76433

Name: _____ Date: _____
Street _____
City _____ State: _____ Zip: _____

Phone number: _____
Alt Phone #: _____

Lot # _____ Access Card # _____

Type of Item to be stored:

- ☐ Recreational Vehicle
☐ Motor Home
☐ Pop Up Camper
☐ Utility Trailer
☐ Boat
☐ Other: _____

License number and State Registered

Signature: _____ Date: _____

Finance check: Dues current? Y ☐ N ☐

Reviewed : _____

mm/dd/yy _____

☐ Approved

☐ Disapproved

If disapproved, reason: _____

Sticker # Issued: _____

Appendix E: Mountain Lake Request for Extended Stay Form

Please fill out and mail to:

Mountain Lakes Property Owners Association, Attn: RV Park Committee, PO Box
189, Buff Dale, Texas 76433-0189

Name: _____

Date: _____

Phone number: _____

Alt Phone #: _____

Lot # _____

Requested Dates for stay: From: _____ To: _____
mm/dd/yy mm/dd/yy

Purposed of stay:

☐ Extended Vacation

☐ Construction Date of ACC approval: _____
mm/dd/yy

Date for Construction start: _____
mm/dd/yy

Date for Construction end: _____
mm/dd/yy

☐ Other

Signature: _____ Date: _____

Finanee check: Dues current? Y ☐ N ☐

Reviewed : _____
mm/dd/yy

☐ Approved

☐ Disapproved

If disapproved, reason:

This form must be displayed for the entire duration of stay

Appendix F: Contact Sheet for RV Committee Members

Pam & Jeff Bush	972-492-2339 972-365-0631 (c)	<u>PAS146@Hotmail.com</u> <u>JCB289@hotmail.com</u>
Colisa and Roy Gillespie		<u>colisa.gillespie@ngc.com</u> <u>Roy.A.Gillespie@LMCO.com</u>
Penny and Tony West		<u>PLwest@Cisco.com</u> <u>Anthony.West@verizon.com</u>
Marshal Goldberg		<u>Marshall.Goldberg@sbcglobal.net</u>
Kerry Strange		<u>kerrystrange@sbcglobal.net</u>
Phyllis and George McGrath		<u>Magrathg.p@juno.com</u>
RV Committee	Mountain Lakes POA Attention: RV Committee PO Box 189 Buff Dale, Texas 76433-0189	

Appendix G

LEGAL OVERVIEW Chapter 684. Texas Transportation Code

1. A Property Owners' Association may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if
 - A. The appropriate signs have been posted for at least 24 hours and remain installed; and
 - B. The owner gives actual notice that the vehicle will be towed at the owner's or operator's expense if it is not removed; or
 - C. Appropriate written notice is given in accordance with the statute; or
 - D. The vehicle is left in violation of 684.011; or
 - E. The vehicle is in or obstructing a portion of a paved driveway or abutting public roadway used for entering or exiting the Property.
2. A vehicle is in violation of Section 684.011 if:
 - A. It obstructs a vehicular traffic aisle, entry or exit to the Property;
 - B. It prevents a vehicle from exiting a parking space on the Property;
 - C. It is in or obstructs a properly marked fire lane; or
 - D. It is in a parking space properly designated for the exclusive use of a vehicle transporting a disabled person and does not have the appropriate license plates or parking placard authorizing such parking.
3. A Property Owners Association who causes the removal of an unauthorized vehicle is not liable for damages arising from the removal or storage of the vehicle if the vehicle
 - A. Was removed in compliance with Chapter 684 of the Transportation Code; and
 - B. Is
 - 1) Removed by a towing company insured against liability for property damage incurred in towing a vehicle; and
 - 2) Stored by a vehicle storage facility insured against liability for property damage incurred in storing a vehicle.
4. Civil Liability
 - A. A towing company or Property Owners Association who violates this chapter is liable to the owner or operator of the vehicle that is the subject of the violation for
 1. Damages arising from the removal or storage of the vehicle; and
 2. Towing or storage fees assessed in collection with the vehicle's removal or storage.
 - B. A vehicle owner or operator is not required to prove negligence of a Property Owners Association or towing company to recover under the section above
 - C. A towing company or Property Owners Association who intentionally, knowingly or recklessly violates this chapter is liable to the owner or operator of the vehicle that is

- the subject of the violation for \$300 plus three times the amount of fees assessed in the vehicle's removal, towing, or storage
- D. In a suit brought under this chapter, the prevailing party is entitled to recover reasonable attorneys' fees.
5. Fine: A violation of this chapter is punishable by a fine of not less than \$200 Or more than \$500.
6. Injunction; A violation of this chapter may be enjoined under Subchapter E, Chapter Business & Commerce Code.
7. A minor variation of a required or minimum height of a sign or lettering is not a violation of this chapter.

Mountain Lakes
Access Card Request Form

Please fill out and mail to:
Mountain Lakes Ranch Property Owners Association
Attn: Access Committee
PO Box 189
Bluff Dale, TX 76433

=====

RESIDENT INFORMATION:

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

Phone number: _____

Alt Phone #: _____

Lot #: _____ Current Card #s: _____

REASON FOR REQUEST:

LIMIT 2 CARDS PER FAMILY

☐ NEW OWNER

☐ REPLACEMENT CARD, lost card # _____

☐ EXTRA CARD

Owners will not be issued extras or replacements while two or more cards are still active. New owners are allowed one free card and one extra. Replacement or extra cards will cost \$20 each. Please remit fees as applicable.

As a property owner, I understand it is my responsibility to report lost or stolen access cards to the Mountain Lakes Access Card Committee.

Signature: _____ Date: _____

_____ for CMA use only _____

Finance check: Dues paid? Y ☐ N ☐

Review date: _____ ☐ Approved ☐ Disapproved

If disapproved, reason: _____

Card # Issued: _____